

104TH CONGRESS
1ST SESSION

S. 1083

To direct the President to withhold extension of the WTO Agreement to any country that is not complying with its obligations under the New York Convention, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 27 (legislative day, JULY 10), 1995

Mr. THOMAS introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To direct the President to withhold extension of the WTO Agreement to any country that is not complying with its obligations under the New York Convention, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “New York Convention
5 Compliance Act”.

6 **SEC. 2. ACCESSION OF CERTAIN COUNTRIES TO THE WTO.**

7 Section 1106 of the Omnibus Trade and Competitive-
8 ness Act of 1988 (19 U.S.C. 2905) is amended—

1 (1) by redesignating subsection (e) as sub-
2 section (f),

3 (2) by inserting after subsection (d) the follow-
4 ing new subsection:

5 “(e) ADDITIONAL REQUIREMENTS RELATING TO OB-
6 LIGATIONS UNDER THE NEW YORK CONVENTION.—

7 “(1) IN GENERAL.—In addition to the require-
8 ments described in subsection (a), before any coun-
9 try that is a party to the New York Convention ac-
10 cedes to the WTO Agreement, the President shall
11 determine whether the country is fulfilling its obliga-
12 tions under the New York Convention.

13 “(2) EFFECTS OF NEGATIVE DETERMINA-
14 TION.—If the President determines that a country is
15 not fulfilling its obligations under the New York
16 Convention—

17 “(A) the President shall reserve the right
18 of the United States to withhold extension of
19 the application of the WTO Agreement between
20 the United States and the country, and

21 “(B) the WTO Agreement shall not apply
22 between the United States and the country
23 until—

24 “(i) the President certifies to the Con-
25 gress that the country is fulfilling its obli-

gations under the New York Convention,
or

“(ii) a bill submitted under subsection
(c) which approves the extension of the ap-
plication of the WTO Agreement between
the United States and the country is en-
acted into law.

“(3) NEW YORK CONVENTION.—For purposes
of this subsection, the term ‘New York Convention’
means the Convention on Recognition and Enforce-
ment of Foreign Arbitral Awards, done at New
York, June 10, 1958.”,

(3) in subsection (d), by striking “subsection
(a)” and inserting “subsections (a) and (e)”, and

(4) by amending the heading for such section to
read as follows: “**ACCESSION OF STATE TRADING
REGIMES AND CERTAIN OTHER COUNTRIES TO
THE GENERAL AGREEMENT ON TARIFFS AND
TRADE OR THE WTO.**”.

○